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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

11 RICHARD JOHNSON and) No. 3:15-cv-02664-EMC
 12 MARCELLA JOHNSON,)
 13 Plaintiffs,) STIPULATION AND PROPOSED ORDER
 14 vs.) RE: VACATING DEADLINES AND
 15 PUGET SOUND COMMERCE CENTER,) TRIAL DATE DUE TO PLAINTIFF
 16 INC. (FKA TODD SHIPYARDS) RICHARD JOHNSON'S DEATH, AND
 17 CORPORATION), et al.,) MAINTAINING FEBRUARY 4, 2016,
 18 Defendants.) FURTHER CASE MANAGEMENT
 19 _____ CONFERENCE

20 Former plaintiff, RICHARD JOHNSON, recently passed away on November 22, 2015.
 A suggestion of death was filed on December 17, 2015. Doc. 26

21 Mr. JOHNSON's Successor-in-Interest now needs to be appointed to pursue survival
 22 claims. Counsel is in the process of obtaining the requisite declarations/affidavits from Mrs.
 23 JOHNSON regarding her status as decedent's Successor-in-Interest but she needs additional
 24 time.

25 The complaint will also need to be amended to include wrongful death claims, and
 26 additional discovery will need to be conducted related to the wrongful death claims. In
 27 particular, additional time is required for an autopsy, a procedure that takes several weeks to
 28 complete, and to obtain medical records up to and including Mr. JOHNSON's passing. Counsel

1 is in the process of obtaining the requisite authorizations from Mr. JOHNSON's family but,
2 again, the family needs time. Defendants will also want to take depositions of Mr. JOHNSON's
3 heirs once the case is amended for wrongful death.

4 Further, it is likely that at least one new defendant will be added to the case once the case
5 is amended for wrongful death.

6 Parties estimate they will need at least four additional months for discovery beyond the
7 current discovery deadline. However, parties are reluctant to propose an alternative schedule
8 until the case is amended and any new defendants are served.

9 The current fact discovery deadline is January 4, 2016.

10 A Further Case Management Conference is set for February 4, 2016.

11 Trial is set for July 11, 2016.

12 Based on the above, good cause exists to vacate the current case schedule and trial date
13 set forth in the Case Management and Pretrial Order for Jury Trial, Doc. 25. The Further Case
14 Management Conference set for February 4, 2016, at 10:30 a.m., should remain on calendar.

15 Accordingly, plaintiff MARCELLA JOHNSON and defendants PUGET SOUND
16 COMMERCE CENTER, INC. (fka TODD SHIPYARDS CORPORATION) and GEORGIA-
17 PACIFIC LLC have stipulated and agreed that the current case schedule and trial date set forth in
18 the Case Management and Pretrial Order for Jury Trial, Doc. 25, should be vacated and the
19 Further Case Management Conference set for February 4, 2016, should remain on calendar.

20 IT IS SO STIPULATED.

21
22 Dated: December 30, 2015

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Attorneys for Plaintiffs

1 Dated: December 30, 2015

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8 Dated: December 30, 2015

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